

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 067183-0157



In re patent application of

Gregory HOUSE

Serial No. 08/962,315

Filed: October 31, 1997

For: THREE DIMENSIONAL STRUCTURE ESTIMATION APPARATUS

Group Art Unit: 2713

Examiner: B. Tung

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REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby replies to the official action mailed on 26 April 2000 in the matter identified above. A petition and fee for a two month extension of time are submitted herewith.

REMARKS

Claims 2-3 and 5-10 were rejected under 35 U.S.C. § 102(b) as anticipated by Subbarao (4,965,840). Reconsideration of the rejections is requested in view of the following.

The rejection asserts that Subbarao teaches the use of cameras having different resolutions, in that Subbarao's cameras may differ in aperture, and that aperture is "directly related to resolution." Applicant is surprised at this interpretation. The affect of aperture is well known in imaging – aperture relates to the "depth of field," in other words, the amount of depth in an image that appears to be "in focus". In Subbarao, there is application for use of cameras having different aperture, because Subbarao's system determines distance by checking the difference in focus between sub-images formed by two cameras along the same optical axis, and varying depth of field of one camera can give information useful for such a comparison. On the other hand, in the present invention, the term "resolution" clearly refers